

Tracy Axelberg
CHRISTENSEN, MOORE, COCKRELL,
CUMMINGS & AXELBERG, P.C.

P.O. Box 7370

Kalispell, MT 59904-0370

Telephone: (406) 751-6000

Facsimile: (406) 756-6522

Rule 7 Mediator

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. DA-09-0578

HERMAN GONZALES; FAWN LYONS;
KEN LAUDATO; LAWRENCE
WALKER; GARY MANSIKKA; GARY
GALETTI; GREG WHITING; MARVIN
KRONE; RICHARD BLACK; JIM
KELLY; CHRIS SOUSLEY; and all
others similarly situated,

Plaintiffs/Appellees,

vs.

MONTANA POWER COMPANY;
NORTHWESTERN CORPORATION, a
Delaware Corporation, as a reorganized
debtor, subsequent to its plan
confirmation, hereinafter referred to as
NOR; NORTHWESTERN
CORPORATION d/b/a
NORTHWESTERN ENERGY; PUTMAN
AND ASSOCIATES, INC., a Montana
Corporation; and JOHN DOES IV-XX,

Defendants/Appellants.

Montana Second Judicial District
Court
Silver Bow County
Cause No. DV-98-253

**RULE 7 MEDIATOR'S
FOURTH STATUS REPORT
TO THE COURT**

FILED

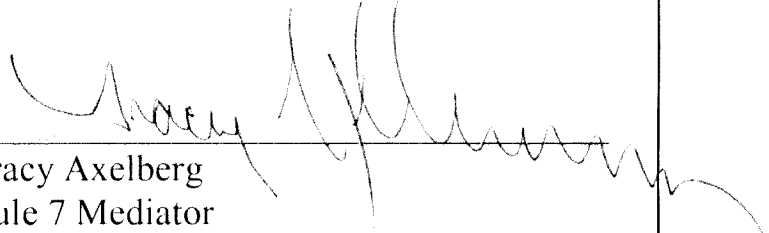
FEB 22 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

1 Drafts of settlement documents continue to circulate among counsel for NOR,
2 Putman and the Plaintiffs. What was once a lengthy list of complex “sticking points”
3 has, since the filing of the last status report, been reduced to a handful. It is
4 anticipated that, schedules allowing, counsel for these parties will be able to finalize
5 the settlement documents within the next 7-10 days.
6
7

8 The undersigned will provide the Court with what will hopefully be a final
9 status report by Friday, March 5, 2010.
10

11 RESPECTFULLY SUBMITTED this 19th day of February, 2010.
12

13
14 
15 Tracy Axelberg
16 Rule 7 Mediator
17
18
19
20
21
22
23
24
25
26
27

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

3
4
5

6
7
8
9

0
1

3
4
5

Oliver H. Goe, Esq.
Chad E. Adams, Esq.
Chad R. Vanisko, Esq.
**BROWNING, KALECZYC,
BERRY & HOVEN, P.C.**
139 N. Last Chance Gulch
P. O. Box 1697
Helena, MT 59624-1697

Joe Seifert, Esq.
Thomas Q. Johnson, Esq.
KELLER, REYNOLDS, DRAKE,
JOHNSON & GILLESPIE, P.C.
50 Last Chance Gulch, 3rd Flr.
P. O. Box 598
Helena, MT 59601-0598

8

20
21
22